

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

IN RE:

**CEDRIC HALL and
NIKITA JONES HALL
Debtor(s).**

Chapter 7

Case No. 12-20256

**CEDRIC HALL and
NIKITA JONES HALL
Plaintiff(s),**

vs.

Adversary No:

**WELLS FARGO BANK, N.A.
Defendant.**

**COMPLAINT TO COMPEL TURNOVER OF FUNDS
FROM DEFENDANT TO PLAINTIFF**

Plaintiff alleges and requests as follows:

1. That this is an adversary proceeding brought pursuant to Rule 7001(1) F.R. Bankr. P. and 11 U.S.C. §542(a) to recover \$775.05 garnished by the Defendant, after the commencement of this Chapter 7 case;
2. That this Court has jurisdiction under 28 U.S.C. §1334, 151, and 157(a);
3. That by virtue of 28 U.S.C. §157(b)(2)(E) this is a core proceeding; (See also Rule 7008(a) F.R. Bankr.P.);
4. Under the particular facts and circumstances and applicable law, the Plaintiff is entitled to possession of the above-described property of the estate for “use” as contemplated in 11 U.S.C. §363;

WHEREFORE, the Plaintiff respectfully requests that an expedited hearing be set to consider the requested relief, and that the court enter its order directing the Defendant to return the funds to the Plaintiff/Debtor.

THE COHN LAW FIRM

/s/ William A. Cohn
William A. Cohn
Attorney for the Debtor/Plaintiff
291 Germantown Bend Cove
Cordova, Tennessee 38018
(901)757-5557
TN Supreme Court No. 005873

CERTIFICATE OF SERVICE

I, William A. Cohn, hereby certify that a true and correct copy of the foregoing was mailed by U.S. Mail, postage prepaid, on this day of February 20, 2012 to the following:

Edward L. Montedonico
200 Jefferson, Suite 201
Memphis, TN 38103

U.S. Trustee
Office of the U.S. Trustee
One Memphis Place
200 Jefferson Avenue, Suite 400
Memphis, TN 38103

Wells Fargo Bank, N.A.
4137 121st Street
Urbandale IA 50323

/s/ William A. Cohn
William A. Cohn